നമ്പ്.	സാമാനവിവരം.			വില.		
				ക.	ണ.	സ.
൩൨	ബാർസോപ്പ്	എണ്ണം	൧ക്ക	൦	൨	൦
൩൯	ബ്രൌൺസോപ്പ്	ഡജൻ	,,	൦	൧൪	൨
൪൦	ചായം	കൂപ്പി	,,	൨	൦	൦
൪൧	വെള്ളച്ചെണ്ണ	'	,,	൦	൩	൦
൪൨	മണ്ണെണ്ണ	ടിൻ	,,	൩	൧൪	൦
൪൩	ചിരട്ട(൧൦൦൦ തേങ്ങയുടെ)			൨	൪	൦
൪൪	ഉണക്കവിറക്	കണ്ടി	,,	൩	൦	൦
൪൫	ശീമക്കട്ടക്ക്	കൂപ്പി	,,	൦	൧൫	൦
൪൩	സാധാരണ പായ	ഡജൻ	,,	൩	൨	൦
൪൭	ചൊറുനാരങ്ങ	എണ്ണം	൧൦൦ ക്ക	൨	൨	൦
൪൮	ആപ്പീസുബ്രാണ്ടി	കൂപ്പി	൧ ക്ക	൪	൨	൦
൪൯	പശുവിൻപാൽ	,,		൦	൨	൩
൫൦	മോര്	,,		൦	൧	൦

The reporting and publication of Council Proceedings.

Dr. A. G. Menon.—Sir, I may be allowed to place before you certain irregularities in the publication of the Proceedings of this Council.

President.—Yes.

Dr. A. G. Menon.—Sir, I am constrained to bring to your notice certain grave irregularities that have crept into the system of reporting and publishing our Legislative Council Proceedings. I need not say that it is the privilege of every Member of this House to see that what is reported and published for the outside world is a correct reproduction of what takes place within the Council Chamber. The one principle of correct reporting is to see that nothing is added to or subtracted from the Proceedings of the Council. No annotations or explanations are wanted or allowed to be made.

Mr. T. K. Krishna Menon.—Has the Member permission to speak on the subject now?

Dr. A. G. Menon.—(to the President). Sir, when I requested you to allow me to place certain irregularities before you, you said "yes". Is not that "yes" your permission, Sir? If I misunderstood you, I am ready to sit down.

President.—I gave you permission. Go on Doctor.

Dr. A. G. Menon.—Sir, this is one of the evils of the Secretary being a Member of the Council. (*Hear, hear.*)

Sir, the public wants to read only a report of what takes

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place in the Council Chamber without any explanations or annotations. Nor would the public be satisfied by summaries, correct or otherwise. This being the only principle followed in reporting the proceedings of legislative bodies elsewhere, it is a matter of extreme regret that it is rudely violated in our State.

It is not long ago, Sir, that I had to complain that my supplementary questions were not reported *verbatim*; but a distorted paraphrase alone appeared in the Official Reports. When this was brought to the notice of the Secretary, he, with your sanction, informed me that "*the lines as they stand read all right and bring out the point you want to make out*". (Vide Official Report, Vol. II, Part 23, page 1930, dated 19th Karkadagam 1101). Sir, is it words that read all right, or words that bring out the meaning that has to be reported or is it the very words used by the Members themselves? A clearer confession of the violation of the principles of correct reporting cannot be made.

Now comes another glaring instance of an unwarranted addition in the Official Report which was never before the Council. I find in the Official Report, Vol. III, Part 2, page 104, dated 15th Vrischigam 1102, a copy of Dr. A. R. Menon's remarks in the visitors' book at Kuriarkutti Hospital printed. Sir, these remarks of Dr. A. R. Menon, as seen in the report, was never before the Council. The motion for adjournment was solely necessitated by the remarks of the Chief Medical and Sanitary Officer, which we, the non-official Members who walked out of the Council, rightly or wrongly, thought, were insulting to us. Now, Sir, I ask why were the remarks of Dr. A. R. Menon inserted in the report? Whether, with or without your permission, is not the incorporation of such foreign matters in the Official Reports a flagrant violation of right and proper reporting, which could never be too strongly condemned. It is worthwhile knowing under what authority these things are done. Is there any special charm in such omissions and incorporations in our Official Reports? This practice does not obtain elsewhere. I must, therefore, strongly protest against this present method, as the public is being misled by reading our Reports. To preserve the dignity of the Reports and to do impartial justice to the proceedings going on inside the Council, a true and *verbatim* report alone must be made; nothing more, nothing less. As Dr. A. R. Menon's remarks were not before the Council, it ought not to have been given a place in the Official Report also.

Therefore, I propose that the remarks printed in page 104 in the Official Report, Vol. III, part 2, dated 15th Vrischigam 1102, be deleted.

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President.—He has pointed out an irregularity, so that such things may not occur in future. If a thing is wrongly done, it must be righted.

Dr. A. G. Menon.—We had other adjournment motions, especially about the nomination of a Chairman to the Mattancheri Municipal Council. Though the Press Communique was constantly referred to, it was not printed in the Proceedings. Practically, almost the whole portion of the Press Communique was read piece-meal, and was not reported in the Official Report as a separate matter.

President.—I suppose that there was no statement read in the Council.

Dr. A. G. Menon.—Well, Sir, we all perfectly know that the remarks of Dr. A. R. Menon was not read in the Council. There was no opportunity for it. Yet it has found a place in the Official Report. I read it for the first time from the Official Report. Our main complaint was on the words used by the Chief Medical and Sanitary Officer. At least to keep up decency and propriety, the Chief Medical and Sanitary Officer's general order to all his subordinates in the State directing them not to show the visitors' book to Dr. A. R. Menon, and his memo to the Sub-Assistant Surgeon at Kuriarkutti Dispensary ought to have found a place in the Official Report. (*Hear hear.*)

Mr. K. T. Mathew.—That is it. Nothing that has not taken place in this House should be reported. Otherwise, we will be taken unnecessarily to Law Courts, and that is why I submitted sometime ago a resolution for granting the right of privilege of speech, and later, gave notice of a Bill.

Mr. A. B. Salem.—These reports are coloured.

Mr. T. K. Krishna Menon.—More to the advantage of the Members.

Dr. A. G. Menon.—If, for the advantage of the Members, why not for the advantage of others also ?

Mr. K. T. Mathew.—The Reports are published not only for the advantage of the Members but also of the public. Hereafter, we must give them correct versions. I had some correspondence with the Council Secretary some time ago. I wrote to him that I should be allowed to correct my supplementary questions and short speeches also, before they are printed in the Proceedings, and the Secretary wrote to me "that it could not be done". I would be held responsible for mistakes made by others in reporting and printing the Legislative Council Proceedings. I found that the Privilege of Speech Bill, if passed, will protect me and other Members from all such difficulties and troubles.

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Dr. A. R. Menon.—Is it intended for publication? Personally, I have no complaint against it. I want to know whether it is or it is not public property. That is all I wish to know. The Government may make the matter public. Personally, I have not the least objection to its being published. But it is a question of principle. The only question is whether matters which were not placed before the Council can be published in the Official Report. Is it a privilege or not? At the time of the discussion on the adjournment motion, I do not remember to have read it.

Dr. A. G. Menon.—Was it published with the knowledge of the President? Am I to understand like that?

Mr. A. B. Salem.—Of course, it may be said that it does not form part of the regular proceedings. You will please note that, on page 204, a line is printed just above these remarks, and an asterisk mark is made just over the word "Kuriarkutti Dispensary". These remarks are printed below to show that they do not form part of the proceedings. It has been published for the edification of the general reading public. It was deliberately published with a purpose, when nothing of the kind took place here.

President.—The thing is that there were people who liked to know the remarks connected with the adjournment motion.

Mr. A. B. Salem.—We have been told in this House that communal and other remarks should not come within the four walls of this House, and that we have ample places and platforms and press materials outside the Council House. Similarly, I now tell you that, if the Government wanted it published, the best thing would have been to publish it clearly in the Government Gazette or to have produced a leaflet for circulation all round. Why should it enter into our proceedings?

President.—There was some discussion on the adjournment motion, and people would naturally like to know what the remarks on that motion were. So they were published.

Diwan Bahadur Dr. V. Verghese.—My remarks were already incorporated in the speech delivered by the Member for Trichur the other day.

Dr. A. G. Menon.—Only two words "impertinent" and "unwarranted".

Dr. A. R. Menon.—I object to that also. Nothing foreign should be incorporated in our Report. It is not a Government order.

Dr. A. G. Menon.—The Council has every right to request not to incorporate anything which is not before the

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House. It is not a Government Report. It is the Council Proceedings.

Diwan Bahadur Dr. V. Verghese.—It is not part of the Council Proceedings.

Mr. K. T. Mathew.—May I know whether the President sees the Report, before it is sent to the Press?

President.—Generally, it is not placed before me.

Dr. A. G. Menon.—So it was incorporated without your knowledge, Sir?

President.—Before they are sent to the Press, they are not sent to me, nor have I the time to go through all these.

Dr. A. G. Menon.—Perhaps, the President came to know of it only when I drew his attention to it.

Mr. K. T. Mathew.—I had some correspondence with the Secretary about the questions which I put in the Council, and the supplementary answers which I received. I do not know whether they have been placed before the President. Does he take pains to place all the correspondence before the President?

President.—Yes, he does it.

Mr. K. T. Mathew.—I do not know whether there are exceptions.

President.—Unless you specify the particular instance you refer to, I cannot answer. If there has been any correspondence relating to a mistake in the Council Proceedings, the matter must be rectified.

Mr. C. A. Ouseph.—With regard to the footnote, was the Secretary authorised to put it?

Mr. T. K. Krishna Menon.—I would just see whether I can answer all at once. With regard to the general condemnation of the publication of the Report, I am not here to answer it. If there are any specific instances, certainly, it is time for me to answer them. Now, there are three points that are raised; one with regard to questions and answers by the Member for Kunnamkulam. Well, what he wanted was to send all the questions that are published in the form of questions and answers, so that he may revise them all over again.

Mr. K. T. Mathew.—I said supplementary questions and answers.

Mr. T. K. Krishna Menon.—I never wrote to him "you are not permitted", but I said it was not possible to send all the questions and answers to all the Members, because I find that there is a great number of questions and answers; and all short speeches are taken care of in the office. They were taken care of, and I do not find there has been any dispute in regard to their correctness. It is only one Member, a solitary Member,

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the one for Kunnamkulam, who wants his short speeches also to be revised. It is not possible to comply with his request.

Dr. A. R. Menon.—May I know whether you are in the habit of sending them to the Heads of Departments?

Mr. T. K. Krishna Menon.—So far as the Secretary to the Council is concerned, he does not care whether the Member concerned is a non-official or official. (*Hear, hear.*)

Dr. A. R. Menon.—Thank you. That is right.

Mr. T. K. Krishna Menon.—And never has he sent any of these questions and answers to anybody, and it is not possible also for the office to do so. All the long speeches are always sent to them.

Mr. K. T. Mathew.—If mistakes are committed, will the Members be taken to task?

Mr. T. K. Krishna Menon.—Supplementary questions are not put in the form of questions and answers. They at times happen to be homely and rather desultory discussions, many Members taking part in them.

Mr. K. T. Mathew.—Desultory discussion in this House? Does the President allow this?

Mr. T. K. Krishna Menon.—The President, I am afraid, is indulgent and too generous.

Then, the other point is about the supplementary questions and answers of the Member for Tattamangalam. That was already answered on a former occasion. I do not think any repetition of the remarks will convince the Member for Tattamangalam, if he is not disposed to be. There is no necessity to repeat what I said on that question at that time.

The whole thing, then, turns upon this footnote. That is the third and the crucial point. After the general condemnation and the eloquent speeches about it, you will kindly see that, after all, the whole thing turns on the footnote. That is the eyesore.

Mr. A. B. Salem.—I raised also a complaint that some of my answers were put in the mouth of the President. I do not take credit for that compliment. The Secretary of this House was stating that there was no complaint with regard to the manner of printing supplementary questions.

Mr. T. K. Krishna Menon.—He has not brought the defect, if any, to my notice, Sir.

Mr. K. T. Mathew.—I think the Member representing the Anglo-Indians was stating that one of the speeches sent to him for correction was not his. Such is the way that the work is done here.

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President.—I do not think much is to be made about these matters. We are not exempt from committing errors, and when these are brought to our notice, they would be corrected.

Mr. T. K. Krishna Menon.—My surprise is that there has been only one instance of this sort.

Mr. A. Sankara Puduval.—Rule 69, Standing Orders, lays down that the Secretary shall cause to be prepared a full report of the Proceedings of the Council at each of its meetings, and shall, as soon as practicable, publish it in such form and manner as the Government may, from time to time, direct. So far as matters stand, there is the only qualification that the proceedings should be published in such form and manner as the Government may direct. I presume that these Official Reports have been published in such form and manner as the Government direct.

Mr. A. B. Salem.—Anything else?

President.—Have you done with this matter of incorrect reporting?

Mr. T. K. Krishna Menon.—No, Sir. I can only speak, when others do not.

President.—Mistakes may be committed. When they are brought to our notice, we correct them. We do not stand on the ground that we are infallible that we do not commit mistakes.

Mr. T. K. Krishna Menon.—Whenever any mistake is pointed out, it is corrected. Coming to the point under discussion, when the objectionable portions of the memo of the Chief Medical and Sanitary Officer were dealt with here, the Chief Medical and Sanitary Officer wrote to the Diwan-President that it would be advisable to have the remarks in the visitors' book also in the proceedings, at least as a footnote. The Diwan-President agreed to that, and they are put in the form of a footnote.

Dr. A. R. Menon.—Is it in the capacity of the Diwan or in the capacity of the President that such permission was given?

Mr. T. K. Krishna Menon.—In the capacity of the Diwan-President.

Mr. N. Padmanabha Menon.—This Council does not know a person as Diwan-President.

Mr. T. K. Krishna Menon.—It has to know that, and, perhaps, other things besides.

Mr. K. T. Mathew.—There is no such person.

Dr. A. R. Menon.—We have something to do with the President of this Council only.

President.—Why could you not say the President alone?

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Mr. T. K. Krishna Menon.—Under S. O. 69, *the Government* have to see to the form and manner in which the Proceedings of this Council are published.

Dr. A. G. Menon.—I never said anything against that. The Diwan might have sanctioned this, but, in the capacity of the President, he might not have sanctioned it.

Dr. A. R. Menon.—My point is whether the Diwan has any right to make any addition or subtraction in the proceedings.

Mr. T. K. Krishna Menon.—The footnote was published with the sanction of the Diwan-President.

Dr. A R. Menon.—We have nothing to do with the Diwan-President.

President.—What is it that is wanted now?

Mr. A. B. Salem.—We want that portion of the report to be expunged from the proceedings. It is only the President that can do it. Of course, there is no meaning in saying that this has been done with the sanction of the Diwan-President. Because we know that the Diwan is *ex-officio* President. What is the use of shutting our eyes to this fact? What I submit is that the report should contain only the proceedings that take place inside this House. If, by any reason whatsoever, by the wrongful thought of the Secretary or by the initiative of the Secretary.—

Mr. T. K. Krishna Menon.—I repudiate that suggestion, and strongly protest against it.

Mr. A. B. Salem.—It was sanctioned by the Diwan; whatever be the reason, this portion of the remarks came to be printed in the report. As this does not form part of the proceedings, it should have no place in the records of this House, and should be expunged.

Mr. N. Padmanabha Menon.—Sir, to invoke Rule 69 is not correct.

President.—I shall look into this matter, whether it should form part of the proceedings or should be expunged.

Dr. A. G. Menon.—I presume to make another request, that, if this is to form part of the proceedings, the order of the Chief Medical and Sanitary Officer to the Sub-Assistant Surgeon of the Kuriarkutti Dispensary may also be incorporated in the proceedings.

President.—Strictly speaking, whatever that takes place before the Council ought to find a place in the proceedings. Although this was published at the request of the Chief Medical and Sanitary Officer, it was done because there may be an intelligent appreciation of the discussion in the Council. On a proper consideration of the subject, I shall consider whether it ought to find a place in the proceedings.

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Dr. A. G. Menon.—The appreciation would be full, if the other portions are also published.

A query regarding the Member for Vellarappalli.

Mr. A. B. Salem.—Sir, I raise a point of order to know whether Mr. O. R. Chummar, the Member for Vellarappalli, continues to be a Member of this House. I ask it for two reasons. We find that he is absent in his chair, and I understand that he says that he does not want to come here. I, therefore, think it would be a point of honour for him, if he continues to be a Member. It has been ruled under the rules that a Member, if he accepts a post under the Government, is no longer a Member. Of course, this point was raised in the case of Mr. K. S. Rama Ayyar. It was ruled that he is still a Member, because he held a post only in the Court of Wards. That does not hold in the case of Mr. Chummar, because he is holding a post under the Government, and so you will be pleased to give a ruling on this point. I suppose that matter rests with the Diwan. The Regulation itself provides for it.

President.—Is it for the Government to decide or the President to decide? I think it is the Government that is to decide, and papers on the subject have come to me as Diwan and not as President.

Mr. A. B. Salem.— " If a Member accepts a post in the service of our Government, his seat in the Council shall become vacant." You are the head of the Government, and if you say that he is a Government servant, there is an end of the matter.

President.—I cannot say that as the President. But the head of the Government can do it.

Mr. A. B. Salem.—It comes within the jurisdiction of the President to expel a Member from the House, if he has accepted office under the Government.

President.—You see that the matter has not been disposed of finally, and the matter is still under consideration. In the course of my examinaion of the matter, it came to my notice that in Travancore a non-official Member who was appointed as an official was allowed to continue as Member of the Council.

Mr. K. T. Mathew.—The point under consideration is whether that seat is vacant or not. If it is not vacant, I think he can sit in the Council.

President.—He is a Member till he is asked to quit.

The Bill to amend the Cochin Court of Wards Regulation.

Mr. K. Achyuta Menon.—Sir, I beg to move the Bill to amend the Cochin Court of Wards Regulation be taken into consideration.

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